REMARKS

The Examiner is respectfully requested to acknowledge applicants' claim for priority under 35 USC 119 and receipt of the certified copy of the priority document that was filed on July 31, 2003.

The Examiner is also requested to return copies of the Forms PTO/SB/08A and PTO/SB/08B filed on July 31, 2003, Form PTO/SB/08A filed on May 16, 2005 and Form PTO/SB/08B filed on November 28, 2005, and to indicate thereon that the cited publications were considered and made of record.

Restriction was required under 35 USC 121 as follows:

Group I. Claim 3, drawn to a peptide or a salt thereof;

Group II. Claim 5, drawn to a peptide or a salt thereof;

Group III. Claim 7, drawn to a peptide or a salt thereof;

Group IV. Claim 13, drawn to a peptide or a salt thereof;

Group V. Claim 16, drawn to a peptide or a salt thereof;

Group VI. Claim 17, drawn to a method of preparing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1-isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof, the method comprising culturing at least one strain capable of producing at least one peptide;

Group VII. Claim 17, drawn to a method of preparing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 3 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof, the method

comprising culturing at least one strain capable of producing at least one peptide;

Group VIII. Claim 17, drawn to a method of preparing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydec-5-enoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof, the method comprising culturing at least one strain capable of producing at least one peptide;

Group IX. Claim 18, drawn to a strain belonging to the genus Pseudmonas, wherein the strain is capable of producing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that

is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group X. Claim 18, drawn to a strain belonging to the genus Pseudmonas, wherein the strain is capable of producing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 3 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XI. Claim 18, drawn to a strain belonging to the genus Pseudmonas, wherein the strain is capable of producing a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydec-5-enoyl group

that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XII. Claim 22, drawn to an antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XIII. Claim 22, drawn to an antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 3 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XIV. Claim 22, drawn to an antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydodec-5-enoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XV. Claim 23, drawn to a method of preventing and treating a subject infected with a virus, wherein the method comprises administering to the subject the antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof;

Group XVI. Claim 23, drawn to a method of preventing and treating a subject infected with a virus, wherein the method comprises administering to the subject the antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 3 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydecanoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof; and

Group XVII. Claim 23, drawn to a method of preventing and treating a subject infected with a virus, wherein the method comprises administering to the subject the antiviral agent comprising a peptide having as constitutive amino acids, 4 glutamine-derived amino acid residues, 1 glutamic acid residue, 1 serine residue, 2 valine residues, 1 isoleucine residue and 5 leucine residues, and having a 3-hydroxydec-5-enoyl group that is bonded, via an amine linkage, to the N-terminal leucine residue thereof.

Applicants elect Group I (claim 3), drawn to a peptide of formula (I), with traverse.

The structures of the peptides of the non-elected Groups IV and V (that is, the peptides of formulae (V) and (V)), respectively, are illustrated in the attached sheet. In the attached sheet, it can be seen that very few sections of the peptides of the non-elected Groups IV and V are different in structure from that of Group I (formula (I)).

As is clear from the attached sheet, each of the peptides of the non-elected Groups IV and V are structurally analogous to the peptide of Group I.

In view of the structural similarities among the peptides of Groups I, IV and V, it is respectfully submitted that the examination of the peptides of Groups IV and V along with Group I would not create an excessive burden to the Examiner.

Reconsideration is respectfully requested.

Examination of Groups IV and V with Group I is respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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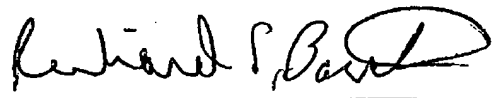

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Enclosure: sheet showing structures of the peptides of Groups (I), (IV) and (V)